

PUYALLUP MUNICIPAL COURT  
LOCAL RULES

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1.1 ADOPTION

These rules are adopted pursuant to CrR1J 1.7 and GR 7 and supersede any and all Local Court Rules heretofore adopted by the Puyallup Municipal Court.

{ Adopted effective September 1, 2002 }

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1.2 TITLE OF RULES

These rules may be known and cited as Puyallup Municipal Court Local Rules, and shall be referred to as PUMCLR.

{ Adopted effective September 1, 2002 }

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1.3 EFFECT OF LOCAL RULES

The provisions of the Local Rules are supplemental to the Rules for the Courts of Limited Jurisdiction, as adopted or hereafter amended by the Supreme Court of the State of Washington, and shall not be construed in conflict with them.

{ Adopted effective September 1, 2002 }

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#### 1.4 RESERVATION OF DISCRETION

The Puyallup Municipal Court reserves the authority to interpret and/or suspend or modify these rules in individual cases on motion of a party for good cause or on a motion of the Court in the interest of justice and/or the efficient operation of the Court.

{ Adopted effective September 1, 2002 }

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#### 3.1 ARRAIGNMENT DATE

The arresting officer shall set the defendant's arraignment date and time when issuing a citation in all cases charging a criminal traffic and criminal non-traffic offense. The arraignment date set shall be the next regularly scheduled arraignment date, except as provided below. For citations charging Driving Under the Influence, Driver Under Twenty-one Consuming Alcohol, or Physical Control of Vehicle under the Influence, as defined in R.C.W. 46.61.502, 503 or 504, or any Domestic Violence offense as defined in R.C.W. 10.99.020 as enacted or hereinafter amended, the arraignment date shall be the next regularly scheduled Court session.

{ Adopted effective September 1, 2002 }

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#### PUMCLR 3.2 RELEASE OF ACCUSED

PUMCLR 3.2 (o) Bail in Criminal Offense Cases - Mandatory Appearance.

(1) Bail Schedule:

When required to reasonably assure appearance in court for those persons arrested and detained in jail for new offenses, bail shall be set in accordance with the bail schedule approved by the presiding judge.

(2) Hold Pending Appearance Before a Judge - Domestic Violence Offenses:

The bail schedule approved by the presiding judge shall require that a person subjected to custodial arrest for a Domestic Violence offense as defined in RCW 10.99.020 shall be held in custody in a non-bail status pending appearance before a judge at the next regularly scheduled in-custody Court session following booking and shall be issued a Pre-Arrestment No Contact Order prohibiting the arrested person from having contact with the protected person or persons.

(Adopted effective September 1, 2009)

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#### 4.1 APPEARANCE OF DEFENDANT

Pursuant to CrRLJ 3 and 4, an attorney may enter an appearance and/or plea of not guilty on behalf of a defendant in any criminal non-traffic or criminal traffic offense, if said appearance or plea is made in writing or made in open court. However, if the defendant is charged with Driving Under the Influence, Driver Under Twenty-one Consuming Alcohol, or Physical Control of Vehicle Under the Influence, as defined in R.C.W. 46.61.502, 503 and 504, or any Domestic Violence offense as defined in R.C.W. 10.99.020 as enacted or hereinafter amended, the defendant must appear personally before the Court for arraignment.

{ Adopted effective September 1, 2002 }

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#### 4.2 CONTINUANCES

- (a) All motions for continuance shall be in writing and must set forth the reason for the requested continuance and the dates of prior continuances indicating which party requested each.
- (b) Requests for Continuance of Jury Trial must be received by the Court no less than 48 hours prior to jury trial.

Failure to comply with this rule may result in the imposition of terms relating to the expense incurred by the Court including, but not limited to, the costs of jury fee payments and mileage reimbursements.

{ Adopted effective September 1, 2002 }

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#### 4.3 PRETRIAL CONFERENCE

- (a) Hearing to be set. In all cases in which a defendant has entered a plea of not guilty, a pretrial conference shall be set. The hearing shall provide an opportunity for plea negotiations, resolutions of discovery issues, and trial setting. If the case is to be set for trial, an order shall be entered setting forth the following, if applicable:
  - (i) discovery schedule;
  - (ii) date and nature of pretrial motions;
  - (iii) date of readiness hearing;
  - (iv) date of trial; and
  - (v) time for filing witness lists.
- (b) Presence Required. The prosecuting attorney, defense attorney and defendant shall be required to attend the pretrial conference. Personal appearance of any of these parties shall not be waived without prior Court approval.

{ Adopted effective September 1, 2002 }

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#### 4.4 TRIAL READINESS HEARING

(a) Readiness Hearing Set. The Court shall, in its discretion, set trial readiness hearings in criminal cases set for trial.

(b) Appearance. Appearance by the prosecuting attorney, defense attorney and the defendant is required. Appearance by the attorneys who will be trying the case is preferred. For good cause, substitute counsel may attend on behalf of trial counsel so long as counsel is prepared to answer the inquiries of the Court.

(c) Procedure at Hearing. At the trial readiness hearing, the Judge may inquire as to whether the case is expected to go to trial, whether the defendant expects to waive his/her right to jury, the number of witnesses expected to be called, the anticipated length of the trial, the number and nature of any motions and any other matter necessary to administer the trial efficiently. Any anticipated problems should be brought to the Court's attention.

(d) Failure to Appear at Hearing. The Court will strike the jury trial and may issue a bench warrant for a defendant who fails to appear at the Readiness Hearing.

{ Adopted effective September 1, 2002 }

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#### 6.1 JURY INSTRUCTIONS

Jury instructions shall be filed with the Court and provided to the opposing party on the day of trial, unless otherwise ordered by the Court. Two sets of instructions shall be filed with the Court, one with citations, and one without citations. The set with citations shall be assembled in numbered sequence and stapled together. The set without citations shall be submitted to the Court in the same order as the cited set, and shall be paper clipped together. One copy of the set with citations shall be provided to the opposing counsel or party.

{ Adopted effective September 1, 2002 }

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#### 8.1 DECISIONS ON WRITTEN STATEMENTS

Mitigation and Contested infraction hearings based on written statements, given under penalty of perjury as provided for in IRLJ 2.4 (b) (4) and IRLJ 2.6 (c), are authorized.

The procedures authorized by IRLJ 3.5 are adopted by this Court. To be considered, the written statement (s) must be received by the Court pursuant to written instructions provided to the defendant.

{ Adopted effective September 1, 2002 }

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#### 9.1 SCHEDULE OF FEES

The following shall be the schedule of fees charged for certain official services provided by the Puyallup Municipal Court. These amounts are consistent with R.C.W. 3.62.060.

Duplication of Electronic Records	\$ 10.00	PerTape
Paper Copy Expense	\$ 1.00	1st page
Each Additional Page	.15	cents
Certified Copy	\$ 5.00	document
Postage	Actual	Cost
Appeals (Preparation & Tapes)	\$ 40.00	

JIS Data dissemination charges will be set in accordance with the Administrative Office of the Courts.

This rule does not apply to law enforcement agencies, governmental agencies, or other departments within the City of Puyallup, or criminal cases involving indigent counsel.

{ Adopted effective September 1, 2002 }

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